

Thursday, June 10, 1999

Daily Digest

Highlights

House passed H.R. 1401, Defense Authorization Act.

House passed H.R. 1905, Legislative Branch Appropriations.

Senate

Chamber Action

Routine Proceedings, pages S6815–S6919

Measures Introduced: Eighteen bills and three resolutions were introduced, as follows: S. 1199–1216, and S. Res. 115–117. Pages S6856–57

Measures Reported: Reports were made as follows: Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals, Fiscal Year 2000.” (S. Rept. No. 106–73)

S. 1205, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000. (S. Rept. No. 106–74)

S. 1206, making appropriations for the legislative branch excluding House items for the fiscal year ending September 30, 2000. (S. Rept. No. 106–75)

S. Res. 34, designating the week beginning April 30, 1999, as “National Youth Fitness Week”, with an amendment.

S. Res. 81, designating the year of 1999 as “The Year of Safe Drinking Water” and commemorating the 25th anniversary of the enactment of the Safe Drinking Water Act.

S. Res. 98, designating the week beginning October 17, 1999, and the week beginning October 15, 2000, as “National Character Counts Week”.

S. Res. 114, designating June 22, 1999, as “National Pediatric AIDS Awareness Day”.

S. 606, for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation), with an amendment in the nature of a substitute.

S.J. Res. 21, to designate September 29, 1999, as “Veterans of Foreign Wars of the United States Day”. Page S6856

Measures Passed:

National Youth Fitness Week: Senate agreed to S. Res. 34, designating the week beginning April 30, 1999, as “National Youth Fitness Week”, after agreeing to a committee amendment. Page S6914

Year of Safe Drinking Water: Senate agreed to S. Res. 81, designating the year of 1999 as “The Year of Safe Drinking Water” and commemorating the 25th anniversary of the enactment of the Safe Drinking Water Act. Page S6914

National Pediatric AIDS Awareness Day: Senate agreed to S. Res. 114, designating June 22, 1999, as “National Pediatric AIDS Awareness Day”. Pages S6914–15

Use of Capitol Rotunda: Senate agreed to H. Con. Res. 127, permitting the use of the rotunda of the Capitol for a ceremony to present a gold medal on behalf of Congress to Rosa Parks. Page S6915

Y2K Act: Senate continued consideration of S. 96, to regulate commerce between and among the several States by providing for the orderly resolution of disputes arising out of computer-based problems related to processing data that includes a 2-digit expression of that year’s date, taking action on the following amendments proposed thereto:

Pages S6815–35, S6837–53

Adopted:

Bennett (for Murkowski) Modified Amendment No. 612 (to Amendment No. 608), to require manufacturers receiving notice of a Y2K failure to give priority to notices that involve health and safety related failures. Page S6817

Gorton (for Inhofe) Amendment No. 622 (to Amendment No. 608), to provide regulatory amnesty for defendants, including States and local governments, that are unable to comply with a federally enforceable measurement or reporting requirement because of factors related to a Y2K system failure. Pages S6850–51

Rejected:

By 41 yeas to 57 nays (Vote No. 161), Edwards Amendment No. 619 (to Amendment No. 608), to provide that a party to a Y2K action making a tort claim may only recover for economic losses to the extent allowed under applicable state or federal law in effect on January 1, 1999. **Pages S6822–28, S6830**

By 36 yeas to 62 nays (Vote No. 162), Edwards Amendment No. 620 (to Amendment No. 608), to provide that certain companies, selling non-Y2K-compliant products beginning in 1999, not be included under the protections as outlined in Amendment No. 608. **Pages S6828–30**

Pending:

McCain Amendment No. 608, in the nature of a substitute. **Pages S6817–35, S6837–55**

Sessions Amendment No. 623 (to Amendment No. 608), to permit evidence of communications with state and federal regulators to be admissible in class action lawsuits. **Pages S6851–52**

Gregg/Bond Amendment No. 624 (to Amendment No. 608), to provide for the suspension of penalties for certain year 2000 failures by small business concerns. **Pages S6852–53**

A unanimous-consent agreement was reached providing for further consideration of the bill and pending amendments, with a vote to occur on final passage of H.R. 775, House companion measure, on Tuesday, June 15, 1999. **Page S6850**

Budget Process Reform: Senate began consideration of S. 557, to provide guidance for the designation of emergencies as a part of the budget process, taking action on the following amendments proposed thereto: **Page S6913**

Pending:

Lott (for Abraham) Amendment No. 254, to preserve and protect the surpluses of the social security trust funds by reaffirming the exclusion of receipts and disbursement from the budget, by setting a limit on the debt held by the public, and by amending the Congressional Budget Act of 1974 to provide a process to reduce the limit on the debt held by the public.

Abraham Amendment No. 255 (to Amendment No. 254), in the nature of a substitute.

Lott motion to recommit the bill to the Committee on Governmental Affairs, with instructions to report back forthwith.

Lott Amendment No. 296 (to the instructions of the Lott motion to recommit), to provide for Social Security surplus preservation and debt reduction.

Lott Amendment No. 297 (to Amendment No. 296), in the nature of a substitute.

A motion was entered to close further debate on Amendment No. 297 (listed above) and, in accordance with the provisions of Rule XXII of the Stand-

ing Rules of the Senate, a vote on the cloture motion will occur on Tuesday, June 15, 1999. **Page S6913**

Steel, Oil and Gas Loan Guarantee Program: Senate began consideration of the motion to proceed to the consideration of H.R. 1664, making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999. **Pages S6913–14**

A motion was entered to close further debate on the motion to proceed to the consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Tuesday, June 15, 1999. **Pages S6913–14**

Subsequently, the motion to proceed was withdrawn. **Page S6914**

State Department Authorization—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. 886, to authorize appropriations for the Department of State for fiscal years 2000 and 2001; to provide for enhanced security at United States diplomatic facilities; to provide for certain arms control, nonproliferation, and other national security measures; to provide for the reform of the United Nations, with certain amendments to be proposed thereto, at a time to be determined by the Majority and Minority Leaders. **Page S6821**

Energy and Water Development Appropriations, 2000—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. 1186, making appropriations for energy and water development for the fiscal year ending September 30, 2000, on Monday, June 14, 1999. **Page S6821**

Nominations Received: Senate received the following nominations:

Ann Brown, of Florida, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 1999.

Ann Brown, of Florida, to be Chairman of the Consumer Product Safety Commission.

James Catherwood Hormel, of California, to be Ambassador to Luxembourg, to which position he was appointed during the last recess of the Senate.

David W. Ogden, of Virginia, to be an Assistant Attorney General. **Pages S6915–19**

Messages From the House: **Page S6855**

Measures Placed on Calendar: **Page S6855**

Communications: **Pages S6855–56**

Petitions: **Page S6856**

Statements on Introduced Bills: **Pages S6857–77**

Additional Cosponsors: **Pages S6877–78**

Amendments Submitted: Pages S6879–80

Notices of Hearings: Pages S6880–81

Authority for Committees: Page S6881

Additional Statements: Pages S6881–89

Text of S. 1122 as Previously Passed:
Pages S6889–S6911

Record Votes: Three record votes were taken today.
(Total—163) Pages S6830, S6850

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:41 p.m., until 12 noon on Monday, June 14, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6915.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill (S. 1205) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000;

An original bill (S. 1206) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000; and

An original bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for fiscal year ending September 30, 2000.

ESPIONAGE AND EXPORT CONTROLS

Committee on Banking, Housing, and Urban Affairs: Committee concluded oversight hearings on espionage and export control issues in the House Cox Report, after receiving testimony from Representatives Cox and Dicks.

INTERSTATE COMMERCE ENCRYPTION

Committee on Commerce, Science, and Transportation: Committee concluded hearings on S. 798, to promote electronic commerce by encouraging and facilitating the use of encryption in interstate commerce consistent with the protection of national security, after receiving testimony from Representative Goodlatte; William A. Reinsch, Under Secretary of Commerce for Export Administration; James K. Robinson, Assistant Attorney General, Criminal Division, Department of Justice; Barbara A. McNamara, Deputy Director, National Security Agency, Department of Defense; David Aucsmith, Intel Corporation, and Lance J. Hoffman, George Washington University School of Engineering and Applied Science, both of

Washington, D.C.; and D. James Bizdos, Security Dynamics Technologies, Inc., Vienna, Virginia.

NATIONAL RECREATION LAKES STUDY

Committee on Energy and Natural Resources: Committee concluded oversight hearings on the report and recommendations of the National Recreation Lakes Study Commission, after receiving testimony from Richard W. Davies, Arkansas Department of Parks and Tourism, Little Rock, on behalf of the National Recreation Lakes Study Commission; and William W. Anderson, Westrec Marina Management, Inc., Encino, California, on behalf of the Recreation Roundtable.

MEDICARE REFORM

Committee on Finance: Committee held hearings on the impact of the 1997 Balanced Budget Act provisions on the Medicare fee-for-service beneficiaries and providers program, receiving testimony from Robert A. Berenson, Director, Center for Health Plans and Providers, Health Care Financing Administration, Department of Health and Human Services; Paul N. Van de Water, Assistant Director for Budget Analysis, Congressional Budget Office; William J. Scanlon, Director, Health Financing and Public Health Issues, Health, Education and Human Services Division, General Accounting Office; Gail R. Wilensky, Medicare Payment Advisory Commission, and Thomas A. Scully, Federation of American Health Systems, both of Washington, D.C.; Charles M. Smith, Christiana Care Corporation, Wilmington, Delaware, on behalf of the American Hospital Association; D. Ted Lewers, Easton, Maryland, on behalf of the American Medical Association; Susan S. Bailis, Solomont Bailis Ventures, Boston, Massachusetts, on behalf of the American Health Care Association; and Mary Suther, Visiting Nurse Association of Texas, Dallas, on behalf of the National Association for Home Care.

Hearings recessed subject to call.

ENERGY DEPARTMENT EXPORT CONTROL

Committee on Governmental Affairs: Committee concluded hearings on national security and economic issues related to the dual-use and munitions list export control processes and implementation at the Department of Energy, after receiving testimony from Gregory H. Friedman, Inspector General, Sandra L. Schneider, Assistant Inspector General for Inspections, and Alfred K. Walter, Director, Office of Management Operations, Office of the Inspector General, all of the Department of Energy.